

improvement of family housing. I send that amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mrs. CLINTON and Mr. SCHUMER, proposes an amendment numbered 3961.

The amendment is as follows:

(Purpose: To modify leasing authorities under the alternative authority for acquisition and improvement of military housing.)

At the end of subtitle A of title XXVIII, add the following:

**SEC. 2803. MODIFICATION OF LEASE AUTHORITIES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.**

(a) LEASING OF HOUSING.—Subsection (a) of section 2874 of title 10, United States Code, is amended to read as follows:

“(a) LEASE AUTHORIZED.—(1) The Secretary concerned may enter into contracts for the lease of housing units that the Secretary determines are suitable for use as military family housing or military unaccompanied housing.

“(2) The Secretary concerned shall utilize housing units leased under paragraph (1) as military family housing or military unaccompanied housing, as appropriate.”.

(b) REPEAL OF INTERIM LEASE AUTHORITY.—Section 2879 of such title is repealed.

(c) CONFORMING AND CLERICAL AMENDMENTS.—(1) The heading for section 2874 of such title is amended to read as follows:

**“§ 2874. Leasing of housing”.**

(2) The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended—

(A) by striking the item relating to section 2874 and inserting the following new item:

“2874. Leasing of housing.”; and

(B) by striking the item relating to section 2879.

Mr. WARNER. Mr. President, the amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3961) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I intend to remain for a period of time in case any Senator comes to the floor. Then we will consult on such time as we recommend to the leadership if this bill is laid aside, and such morning business time as may be, in the leader's judgment, appropriate.

In a few minutes I hope to address the Senate with regard to the NATO forthcoming enlargement issue, as well as those issues relating to other matters which are important. I have some visitors at this moment, so I will have to absent myself from the floor.

Mr. LEVIN. Mr. President, I thank the Senator from Virginia. I will also be available in the event someone with an amendment does come to the floor. I have to leave also for a few minutes, but I will be available for some time to join you and welcome anybody who

does come to the floor with an amendment.

**MORNING BUSINESS**

Mr. LEVIN. Mr. President, I ask unanimous consent that we go into a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska, Mr. MURKOWSKI, is recognized.

**YUCCA MOUNTAIN RESOLUTION**

Mr. MURKOWSKI. Mr. President, I want to bring to the attention of my colleagues the development on the Yucca Mountain resolution, specifically what it means, and share a few realistic observations on just what we are talking about as we reflect on our obligation to address the waste in this country.

In the past 2 days, I have come to the Senate floor to speak in morning business on S.J. Res. 34. I have spoken generally on the need to move this resolution and the procedure under which the resolution will move. I was pleased to see that the two leaders had an opportunity to discuss this earlier in the day. I think it is fair to say that, clearly, we are left with the appropriate procedure, which simply mandates that any Member may bring this up upon recognition of the Chair at any time. So it is quite appropriate that the leaders related the parliamentary procedure.

I want to speak specifically about what the resolution does and does not do. This seems to be a point of contention in the minds of some. The resolution merely reaffirms the present recommendation of Yucca Mountain as a suitable site for this Nation's permanent geologic repository. That is simply all there is to it. It does not license the repository. It does not build a repository. It does not start the transportation of spent fuel from reactors tomorrow or the next day. It does not start transportation of high-level nuclear waste from the Department of Energy weapon sites. It does none of those things.

The resolution gives the Department of Energy the go ahead to begin the licensing process with the Nuclear Regulatory Commission and that is simply all there is to it.

Now, I have already given, in a series of presentations, a little background of the fact that we have collected some \$17 billion from ratepayers in this country, and that the Federal Government signed a solemn contractual commitment to take the waste in 1998. The Federal Government has breached the sanctity of that contract. It is estimated that the damages and suits against the Federal Government are somewhere in the area of \$40 billion to \$70 billion. That is an obligation to the U.S. taxpayers because the Congress of

the United States has not forced, if you will, compliance of that contractual commitment.

A lot of people simply dismiss this as something we can put off. You can put it off all right, but you are going to do it at the expense of the taxpayers. This was a contract. The ratepayers that use nuclear energy paid into a fund. The Federal Government has held that money to take the waste in 1998. The Federal Government is in violation of that contract. It is just that simple.

We have an opportunity and obligation to move. The House has moved, the Senate has not because the licensing process is a first of its kind. No one anticipates it is going to move quickly or smoothly. Both the DOE and the Nuclear Regulatory Commission indicated a great deal of work needs to be done before any repository is licensed to construct. The resolution is no real guarantee that Yucca will be built, but it certainly moves the process along. I know that is what some don't want to hear. I certainly hope it is not the case, but the reality is that we have no guarantee that the Department of Energy will be able to meet the licensing requirements imposed by the NRC.

We have an obligation to move this process along under the structure that was agreed to many years ago. Now, it is true the NRC has issued a sufficiency letter that indicates the Commission believes the DOE will, at the appropriate time, have sufficient information to apply for and receive the license, but only time and additional work will tell. Opponents of Yucca Mountain have indicated, for instance, that we should not pass this resolution because there are a number of unresolved technical issues. As a matter of fact, there are issues that both DOE and NRC have agreed will be resolved in the licensing process.

There are a number of other issues that should have been raised, such as transportation, that cannot and should not be resolved prior to making the decision regarding licensing of Yucca Mountain. Transportation to and from Yucca will be resolved in the licensing process. To use it now is as a scare tactic—which some have suggested—or a reason to vote no on the resolution is irresponsible.

I want to point out that, for the past 30 years, the United States has seen close to 3,000 shipments of spent fuel and high-level waste go across the surface of our country—the railroads and the highways—and not one of these shipments has resulted in a harmful release of radiation. We are doing this now and we are doing it safely. These are the existing transportation routes on this chart—the interstate highways from the State of Washington through Idaho. It goes from Hanford, and you pick up the National Laboratories, you pick up Rocky Flats, Los Alamos, and the Livermore Lab in San Francisco. This is the route of movement of waste. It moves over to South Carolina and up and down the east coast. It